

**(h) Administration**

Only sections 10, 11, and 12 of the Federal Advisory Committee Act shall apply with respect to the Board.

(Pub. L. 103-382, title IV, §412, Oct. 20, 1994, 108 Stat. 4039.)

## REFERENCES IN TEXT

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (f)(2)(B), are classified to section 3301 et seq. of Title 5, Government Organization and Employees.

Sections 10, 11, and 12 of the Federal Advisory Committee Act, referred to in subsec. (h), are sections 10, 11, and 12 of Pub. L. 92-463, as amended, which are set out in the Appendix to Title 5.

## CHANGE OF NAME

Committee on Education and Labor of House of Representatives treated as referring to Committee on Economic and Educational Opportunities of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Economic and Educational Opportunities of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Fifth Congress, Jan. 7, 1997.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 9010, 9012 of this title.

**§ 9012. Authorization of appropriations****(a) In general**

There are authorized to be appropriated \$65,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years to carry out this chapter (other than sections 9010 and 9011 of this title).

**(b) National Assessment**

There are authorized to be appropriated \$35,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 and 1997 to carry out section 9010 of this title.

**(c) Governing Board**

There are authorized to be appropriated \$3,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996 and 1997 to carry out section 9011 of this title.

(Pub. L. 103-382, title IV, §413, Oct. 20, 1994, 108 Stat. 4041.)

**CHAPTER 72—MUSEUM AND LIBRARY SERVICES**

## SUBCHAPTER I—GENERAL PROVISIONS

| Sec.  |   |
|-------|---|
| 9101. | General definitions.  |
| 9102. | Institute of Museum and Library Services. <ul style="list-style-type: none"> <li>(a) Establishment.</li> <li>(b) Offices.</li> </ul>  |
| 9103. | Director of Institute. <ul style="list-style-type: none"> <li>(a) Appointment.</li> <li>(b) Compensation.</li> <li>(c) Duties and powers.</li> <li>(d) Nondelegation.</li> <li>(e) Coordination.</li> </ul> |
| 9104. | Deputy Directors.   |
| 9105. | Personnel.  |

Sec.

- (a) In general.
- (b) Appointment and compensation of technical and professional employees.
- (c) Voluntary services.

9106. Contributions.

## SUBCHAPTER II—LIBRARY SERVICES AND TECHNOLOGY

- 9121. Purpose.
  - 9122. Definitions.
  - 9123. Authorization of appropriations.
    - (a) Authorization of appropriations.
    - (b) Forward funding.
    - (c) Administration.
- PART 1—BASIC PROGRAM REQUIREMENTS
- 9131. Reservations and allotments.
    - (a) Reservations.
    - (b) Allotments.
  - 9132. Administration.
    - (a) In general.
    - (b) Construction.
  - 9133. Payments; Federal share; and maintenance of effort requirements.
    - (a) Payments.
    - (b) Federal share.
    - (c) Maintenance of effort.
  - 9134. State plans.
    - (a) State plan required.
    - (b) Contents.
    - (c) Evaluation and report.
    - (d) Information.
    - (e) Approval.

## PART 2—LIBRARY PROGRAMS

- 9141. Grants to States.
  - (a) In general.
  - (b) Special rule.

## PART 3—ADMINISTRATIVE PROVISIONS

## SUBPART A—STATE REQUIREMENTS

- 9151. State advisory councils.

## SUBPART B—FEDERAL REQUIREMENTS

- 9161. Services for Native Americans.
- 9162. National leadership grants, contracts, or cooperative agreements.
  - (a) In general.
  - (b) Grants, contracts, or cooperative agreements.
  - (c) Special rule.
- 9163. State and local initiatives.

## SUBCHAPTER III—MUSEUM SERVICES

- 9171. Purpose.
- 9172. Definitions.
- 9173. Museum services activities.
  - (a) Grants.
  - (b) Contracts and cooperative agreements.
  - (c) Federal share.
  - (d) Review and evaluation.
- 9174. Award.
- 9175. National Museum Services Board.
  - (a) Establishment.
  - (b) Composition and qualifications.
  - (c) Terms.
  - (d) Duties and powers.
  - (e) Chairperson.
  - (f) Meetings.
  - (g) Quorum.
  - (h) Compensation and travel expenses.
  - (i) Coordination.
- 9176. Authorization of appropriations.
  - (a) Grants.
  - (b) Administration.
  - (c) Sums remaining available.

## CODIFICATION

Title II of Pub. L. 94-462, comprising this chapter, was originally enacted as Pub. L. 94-462, title II, Oct. 8, 1976, 90 Stat. 2591; Pub. L. 96-496, title II, § 201, Dec. 4, 1980, 94 Stat. 2591; Pub. L. 98-306, §§ 8-11, May 31, 1984, 98 Stat. 225; Pub. L. 99-194, title II, Dec. 20, 1985, 99 Stat. 1344; Pub. L. 101-512, title III, § 318 [title II, §§ 201, 202(a)(1), (b), 203-205], Nov. 5, 1990, 104 Stat. 1960, 1974, 1975, known as the Museum Services Act, and classified to section 961 et seq. of this title. Title II is shown, herein, however, as having been added by Pub. L. 104-208 without reference to such intervening amendments because of the extensive amendments to the provisions of title II by Pub. L. 104-208.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1504 of this title.

## SUBCHAPTER I—GENERAL PROVISIONS

## § 9101. General definitions

As used in this chapter:

## (1) Commission

The term “Commission” means the National Commission on Libraries and Information Science established under section 1502 of this title.

## (2) Director

The term “Director” means the Director of the Institute appointed under section 9103 of this title.

## (3) Institute

The term “Institute” means the Institute of Museum and Library Services established under section 9102 of this title.

## (4) Museum Board

The term “Museum Board” means the National Museum Services Board established under section 9175 of this title.

(Pub. L. 94-462, title II, § 202, as added Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-294.)

## PRIOR PROVISIONS

A prior section 202 of Pub. L. 94-462 was classified to section 961 of this title prior to the general amendment of title II of Pub. L. 94-462 by Pub. L. 104-208.

## SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-128, § 1, Dec. 1, 1997, 111 Stat. 2548, provided that: “This Act [amending sections 9105, 9122, 9131, 9133, 9161, and 9162 of this title] may be cited as the ‘Museum and Library Services Technical and Conforming Amendments of 1997’.”

## SHORT TITLE

Section 101(e) [title VII, § 701] of title I of div. A of Pub. L. 104-208 provided that: “This title [enacting this chapter, amending sections 1069b, 1504, 1505, 3441, 3473, 3489, 6621, 6645, 6648, 6649, 6813, 8091, 8102, and 8104 of this title, section 5315 of Title 5, Government Organization and Employees, section 276d-3 of Title 40, Public Buildings, Property, and Works, section 214 of Title 40, Appendix, section 3338 of Title 42, The Public Health and Welfare, section 254 of Title 47, Telegraphs, Telephones, and Radiotelegraphs, and section 1666 of Title 48, Territories and Insular Possessions, repealing sections 351 to 386g, 1021 to 1047, 1221i, and 7001 to 7005 of this title, enacting provisions set out under this section and sections 9102, 9103, and 9105 of this title, and repealing provisions set out as notes under sections 351 and 1029 of this title] may be cited as the ‘Museum and Library Services Act of 1996’.”

Section 201 of title II of Pub. L. 94-462, as added by Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-294, provided that: “This title [enacting this chapter] may be cited as the ‘Museum and Library Services Act’.”

Section 211 of title II of Pub. L. 94-462, as added by Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-295, provided that: “This subtitle [subtitle B (§§ 211-263) of title II of Pub. L. 94-462, enacting subchapter II of this chapter] may be cited as the ‘Library Services and Technology Act’.”

## § 9102. Institute of Museum and Library Services

## (a) Establishment

There is established, within the National Foundation on the Arts and the Humanities, an Institute of Museum and Library Services.

## (b) Offices

The Institute shall consist of an Office of Museum Services and an Office of Library Services. There shall be a National Museum Services Board in the Office of Museum Services.

(Pub. L. 94-462, title II, § 203, as added Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 702], Sept. 30, 1996, 110 Stat. 3009-233, 3009-294.)

## PRIOR PROVISIONS

A prior section 203 of Pub. L. 94-462 was classified to section 962 of this title prior to the general amendment of title II of Pub. L. 94-462 by Pub. L. 104-208.

## TRANSFER OF FUNCTIONS FROM INSTITUTE OF MUSEUM SERVICES

Section 101(e) [title VII, § 704] of Pub. L. 104-208 provided that:

“(a) DEFINITIONS.—For purposes of this section, unless otherwise provided or indicated by the context—

“(1) the term ‘Federal agency’ has the meaning given to the term ‘agency’ by section 551(1) of title 5, United States Code;

“(2) the term ‘function’ means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

“(3) the term ‘office’ includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

“(b) TRANSFER OF FUNCTIONS FROM THE INSTITUTE OF MUSEUM SERVICES AND THE LIBRARY PROGRAM OFFICE.—There are transferred to the Director of the Institute of Museum and Library Services established under section 203 of the Museum and Library Services Act [20 U.S.C. 9102]—

“(1) all functions that the Director of the Institute of Museum Services exercised before the date of enactment of this section [Sept. 30, 1996] (including all related functions of any officer or employee of the Institute of Museum Services); and

“(2) all functions that the Director of Library Programs in the Office of Educational Research and Improvement in the Department of Education exercised before the date of enactment of this section and any related function of any officer or employee of the Department of Education.

“(c) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under subsection (b).

“(d) DELEGATION AND ASSIGNMENT.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Director of the Institute of Museum and Library Services may delegate any of the functions transferred to the Director of the Institute of Museum and Library Services by this section and any function transferred or granted to such Director of the Institute of Museum and Library Services after the ef-